

REMARKS

The Applicants respectfully request further examination and consideration in view of the arguments set forth fully below. Claims 1-18 were previously pending in this application. Within the previous Office Action, Claims 1-18 have been rejected. By the above amendments, Claims 1, 7, 13, 14, 16 and 17 have been amended and new Claims 19-24 have been added. Accordingly, Claims 1-24 are currently pending.

The applicants' attorney would like to thank Examiner Bernatz for his time and courtesousness during the telephonic interview on April 23, 2007. During this interview the differences between the cited prior art references and the present invention were discussed. Specifically, the lack of an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm within the prior art was discussed.

Rejections Under 35 U.S.C. § 112

Within the Office Action, Claims 13 and 16 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is stated within the Office Action that the term "several" in Claims 13 and 16 is a relative term which renders the claim indefinite. By the above amendment, Claims 13 and 16 have both been amended to remove the term "several." Accordingly, Claims 13 and 16 are both definite and do particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 14 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,755,426 to Kokai et al. ("Kokai") in view of U.S. Patent Application No. 2002/0114980 to Günsel et al. ("Günsel"). By the above amendments, Claim 14 has been amended to specify that the inorganic film is formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm.

The independent Claim 14 is directed to a magnetic sensor including a substrate having a magnetism-sensitive element formed thereon and which detects a magnetic signal from a medium having magnetic signals recorded thereon. The magnetic sensor of Claim 14 has an

inorganic film formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm, an organic film formed on the inorganic film, an intermediate film formed on the organic film and a membrane formed on the intermediate film, wherein said magnetic sensor has said membrane disposed opposite to the medium, and moves relatively along said medium. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm. For at least these reasons, the independent Claim 14 is allowable over the teachings of Kokai, Gonsel and their combination.

Claim 15 is dependent upon the independent Claim 14. As discussed above, the independent Claim 14 is allowable over the teachings of Kokai, Gonsel and their combination. Accordingly, Claim 15 is also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 17 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kokai in view of Gonsel and further in view of applicants' admissions. By the above amendments, Claim 17 has been amended to specify that the inorganic film is formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm.

The independent Claim 17 is directed to a position detector. The position detector of Claim 17 comprises a magnetic scale with position signals longitudinally provided thereon and a magnetic sensor including a substrate having a magnetism-sensitive element formed thereon, an inorganic film formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm, an organic film formed on the inorganic film, an intermediate film formed on the organic film and a membrane formed on the intermediate film, wherein said magnetic sensor has said membrane disposed opposite to the magnetic scale, and moves relatively along the magnetic scale to detect position signals provided on the magnetic scale. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm. For at least these reasons, the independent Claim 17 is allowable over the teachings of Kokai, Gonsel and their combination.

Claim 18 is dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Kokai, Gonsel and their combination. Accordingly, Claim 18 is also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 1-6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kokai in view of Gonsel and further in view of U.S. Patent No. 4,729,924 to Skorjanec ("Skorjanec"). By the above amendments, Claim 1 has been amended to specify that the inorganic film is formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm.

The independent Claim 1 is directed to a magnetic sensor including a substrate having a magnetism-sensitive element formed thereon and which detects a magnetic signal from a medium having magnetic signals recorded thereon. The magnetic sensor of Claim 1 has an inorganic film formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm, an organic film formed on the inorganic film and a membrane formed on the organic film, wherein said magnetic sensor has said membrane disposed opposite to the medium, and relatively moves along said medium. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm. For at least these reasons, the independent Claim 1 is allowable over the teachings of Kokai, Gonsel, Skorjanec and their combination.

Claims 2-6 are dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Kokai, Gonsel, Skorjanec and their combination. Accordingly, Claims 2-6 are all also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 7-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kokai in view of Gonsel and of applicant's admissions and further in view of Skorjanec. By the above amendments, Claim 7 has been amended to specify that the inorganic film is formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm.

The independent Claim 7 is directed to a position detector. The position detector of Claim 7 comprises a magnetic scale with position signals longitudinally provided thereon and a magnetic sensor including a substrate having a magnetism-sensitive element formed thereon, an inorganic film formed on the magnetism-sensitive element to a thickness between 100 nm to 3000 nm, an organic film formed on the inorganic film, and a membrane formed on the organic


film, wherein said magnetic sensor has said membrane disposed opposite to the magnetic scale, and relatively moves along the magnetic scale to detect position signals provided on the magnetic scale. As recognized by the Examiner, the prior art does not teach or make obvious an inorganic film formed on a magnetism-sensitive element to a thickness between 100 nm to 3000 nm. For at least these reasons, the independent Claim 7 is allowable over the teachings of Kokai, Gonsel, applicants' admissions, Skorjanec and their combination.

Claims 8-12 are dependent upon the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Kokai, Gonsel, applicants' admissions, Skorjanec and their combination. Accordingly, Claims 8-12 are all also allowable as being dependent upon an allowable base claim.

For the reasons given above, Applicants respectfully submit that all of the pending claims, Claims 1-24, are now in condition for allowance, and allowance at an early date would be greatly appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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